

# Special Recreation Permit Information

Revised February, 2004

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Colorado=s Supplemental Information to BLM=s Manual H-2930-1:

- Commercial Recreation Use
- Competitive and Organized Group Activity and Event Use

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## CHAPTER I: Information for all Types of Permits

### USES REQUIRING PERMITS

1. A **commercial permit** is required when anyone intends to make recreational use of the public lands and related waterways for business or financial gain.

- *When any person, group, or organization makes or attempts to make a profit, receive money, amortize equipment, or obtain goods or services, as compensation from participants in recreational activities occurring on public lands, the use is considered commercial.*
- *An activity, service, or use is commercial if anyone collects a fee or receives other compensation that is not strictly a sharing of, or is in excess of, actual expenses incurred for the purposes of the activity, service or use.*
- *Use by scientific, educational, and therapeutic institutions or non-profit organizations is considered commercial when the above criteria are met and subject to a permit when the above conditions exist. Non-profit status of any group or organizations does not, in itself, determine whether an event or activity arranged by such a group or organization is non — commercial. Profit making organizations are automatically classified as commercial, even if that part of their activity covered by the permit is not profit making.*

2. A **competitive permit** means any organized, sanctioned, or structured use, event, or activity on public land in which two or more contestants compete and either of the following elements apply:

- Participants register, enter, or complete an application for the event; or
- A predetermined course or area is designated.
- It also means one or more individuals contesting an established record such as speed or endurance.

3. **Vending** — vending permits are temporary, short-term, non-exclusive, revocable authorizations to sell goods or services on public lands in conjunction with a recreation activity.

4. **Special Area Use** — permits may be required for individual (private, non-commercial) recreation use in Special Areas. Special Areas are areas officially designated by statute or Secretarial order including: components of the National Trails System, the National Wild and Scenic Rivers System, the National Wilderness System, National Conservation Areas and Monuments or National Recreation Areas.

5. **Organized Group Activity and Event Use** — organized group/event permits are for group outdoor recreation activities or events which are neither non-commercial or non-competitive group activities and recreation events. The authorized officer determines when a permit is required based on planning decisions, resource concerns, user conflicts, public health and safety, and/or the need for monitoring.

### BLM'S SPECIAL RECREATION PERMIT POLICY

All commercial, competitive, special area use, and organized group activity and event use on Colorado's Public Lands meeting the above criteria must be authorized by Special Recreation Permit before it occurs. Special Recreation Permits are issued at the discretion of the Field Manager who may, at any time and without prior notice, choose not to issue permits for certain activities or use areas. Such decisions could be based on a variety of factors such as planning decisions, potential resource impacts, existing outfitters in the same area, overcrowding, past poor performance and others.

Some developed recreation facilities do require Recreation Use Permits for site use. Please check with the responsible Field Manager for possible new individual or group permit requirements before beginning your outing.

## EXCEPTIONS

*The Field Manager determines whether an event or activity falls under one of the following exceptions. Please check and ask for an exception in writing before you assume that your event is an exception.*

1. When BLM sponsors, or co-sponsors uses, such as activities that take place as a result of cooperative or volunteer agreements, except for commercial use.
2. Where a use or event begins and ends on non-public lands or related waters, traverses less than 1 mile of public lands, or 1 shoreline mil, and poses no threat of significant damage to public land or water resources values.

Example: An outfitter crosses 40 acres of BLM on an existing trail to access his/her hunting camp on State Land.

3. A competitive events when they are not commercial, complies with land use plan decisions and designations, does not award cash prizes, is not publicly advertised, poses no risk for damage to public land or related water resource values, and requires no monitoring.

Example: A fun run which is held on county roads crossing BLM lands when the participants do not leave the road right of way; a scout troop challenges another troop in an orienteering event.

4. An organized group activity or event is not commercial, is not publicly advertised, poses no appreciable risk for damage to public land or related water resource values, and requires no specific management or monitoring.

Example: A family reunion held in a non-fee BLM recreation site; a bird watching outing on BLM lands sponsored by the local Audubon Society.

5. Non-recreation uses such as research projects requested by BLM, or administrative use by other Federal or state agencies, do not generally require an SRP. However, individual permits in special areas may still be required.

Example: Fish sampling, bird counts, boating safety patrols, law enforcement patrols

## LAND USE ETHICS

Please, treat your surroundings, and your fellow visitors, with respect.

We encourage all permittees to practice TREAD LIGHTLY AND LEAVE NO TRACE land ethics.

- **Tread Lightly! Pledge:**
  - Travel and recreate with minimum impact
  - Respect the environment and the rights of others
  - Educate yourself, plan and prepare before you go
  - Allow for future use of the outdoors, leave it better than you found it
  - Discover the rewards of responsible recreation
- **Principles of Leave No Trace!**
  - *Plan ahead and prepare*
    - Know the regulations & special concerns
    - Prepare for extreme weather, hazards, and emergencies.
    - Visit in small groups. Split larger parties into groups of 4-6.
    - Repackage food to minimize waste.
    - Use a map
  - *Travel and camp on durable surfaces*
    - Camp at least 200 feet from lakes and streams.
    - Concentrate use on existing trails & campsites.
    - Walk single file in the middle of the trail, even when wet or muddy.
    - Keep campsites small.
    - Disperse use to prevent the creation of campsites and trails.
    - Avoid places where impacts are just beginning.
  - *Dispose of waste properly*
    - Pack it in, pack it out.
    - Deposit solid human waste in catholes dug 6 to 8 inches deep at least 200 feet from water, camp and trails.
    - Pack out toilet paper & hygiene products.
  - Wash 200 feet away from stream or lakes.
  - *Leave what you find*
    - Preserve the past, examine, but do not touch, cultural or historic structures.
    - Leave rocks, plants & other natural objects as you find them.
    - Avoid introduction or transporting non-native species.
  - *Minimize campfire impacts*
    - Use lightweight stove for cooking.
    - Where fires are permitted, use established fire rings, fire pans or mound fires.
    - Keep fires small.
    - Put out campfires completely, then scatter cool ashes.
  - *Respect Wildlife*
    - Observe wildlife from a distance.
    - Never feed animals.
    - Store rations and trash securely.
    - Control pets at all times.
    - Avoid wild during sensitive times.
  - *Be considerate of other visitors*
    - Respect other visitors.
    - Be courteous.
    - Step to the downhill side of trail when encountering pack stock.
    - Camp away from trails & other visitors.
    - Avoid loud voices & noises.

## ITEMS YOU MUST SUBMIT WITH YOUR APPLICATION

1. A completed and signed application.\*
2. A current **operating plan**.\*\*
3. A marked-up **map** showing all areas proposed for guiding and outfitting operations. Include base and spike camp locations, locations of locked gates, trails and roads used, and outline owned or leased private lands.\*\*
4. A copy of all **outfitters licenses** and/or **registrations** required by the Colorado Division of Parks and Outdoor Recreation (State Parks Board) and/or the Office of Outfitter Registration (Department of Regulatory Agencies) and/or a Colorado State Child Care License if you work with minors.\*\*\*
5. A valid **insurance certificate** identifying the U.S. Government as additionally insured.  
(See page 10 for minimum acceptable liability insurance coverage.)
6. Use Fee Payments calculated according to estimated use included in your application.  
**Commercial Use Fee Payments** are calculated at 3% of total projected client charges or a \$80 annual minimum, whichever is greater.  
**Competitive Use Fee Payments** are calculated at \$4.00 per user day or 3% of gross receipts, whichever is greater.  
**Individual or Group Fee Payments** are calculated at \$4.00 per user day.
7. A copy of your current **brochure** and **price list**.\*\*\*
8. A copy of your blank client contract/waivers.
9. A signed copy of the standard stipulations, page 16-24 and page 27-28 for competitive & OHV events.

Note: \* Not required for multi-year permittee having a permit that is still valid.

\*\* Multi-year permittee need only submit if the use areas or operation for the current year differ from the map or operating plan which you included with your original permit application.

\*\*\* Only required for commercial permittee.

## BLM WILL NOT PROCESS YOUR SUBMISSION WITHOUT THESE ITEMS!

At their discretion, Field Managers may also require that you submit additional information to supplement the above.

## **USE AUTHORIZATION GRANTED BY SPECIAL RECREATION PERMITS (SRPs)**

These permits authorize commercial recreation use of specific public lands areas administered by BLM. They convey no use privileges on other lands (e.g., private, state, USDA Forest Service, etc.). Public roads and other public lands provide the only legal access to lands for which use is authorized by permit unless the permittee has obtained prior permission from other landowners on his/her own.

## • **AUTHORITIES**

- Federal Land Policy and Management Act of 1976, as amended, P.L. 94-579 (43 U.S.C. 1701 et seq.)
- Land and Water Conservation Fund Act of 1965, as amended, P.L. 88-578 (16 U.S.C. 460 (1-6a) et seq.)
- Wilderness Act of 1964, P.L. 88-577 (16 U.S.C. 1131)
- National Trails Systems Act of 1968, as amended, P.L. 90-543 (16 U.S.C. 1241, et seq.)
- National Wild and Scenic Rivers Act of 1968, P.L. 90-542 (16 U.S.C. 1271-87, et seq.)
- Sikes Act of 1974, P.L. 93-452 (16 U.S.C. 670, et seq.)
- National Environmental Policy Act of 1969, P.L. 91-190 (42 U.S.C. 4321, et seq.)
- Part 516, Departmental Manual, Chapter 6, Appendix 5 — Categorical Exclusion Review
- Title 36 CFR, Subpart 71 — Recreation Fees
- Title 43 CFR, Subpart 2932 — Special Recreation Permits for Commercial Use, Competitive Events, Organized Groups and Recreation Use in Special Areas
- Office of Management and Budget Circular A-25 of 1993 Revised

## **WHERE TO APPLY**

### **BLM FIELD OFFICES IN COLORADO** (as of Feb. 2004)

#### **Kremmling Field Office**

2103 E. Park Ave.  
P.O. Box 68  
Kremmling, CO 80459  
(970) 724-3000

#### **Little Snake Field Office**

455 Emerson  
Craig, CO 81625  
(970) 826-5000

#### **White River Field Office**

73455 Highway 64  
Meeker, CO 81641  
(970) 878-3800

#### **Grand Junction Field Office**

2815 H Road  
Grand Junction, CO 81506  
(970) 244-3000

#### **Colorado Canyon National Conservation Area**

2815 H Road  
Grand Junction, CO 81506  
(979) 244-3000

*Note: No new commercial permits issued at this time.*

#### **Glenwood Springs Field Office**

50629 Highways 6 & 24  
P.O. Box 1009  
Glenwood Springs, CO 81602  
(970) 947-2800

#### **Gunnison Field Office**

216 North Colorado  
Gunnison, CO 81230  
(970) 641-0471

#### **San Juan Public Land Center**

15 Burnett Ct.  
Durango, CO 81301  
(970) 247-4874

#### **Mancos/Dolores Field Office**

100 N. 6<sup>th</sup> St.  
P.O. Box 210  
Dolores, CO 81323  
(970) 882-7296

#### **Columbine Field Office**

110 W. 11<sup>th</sup>  
Durango, CO 81301  
(970) 884-1400 or (970) 375-3310

#### **Canyon of the Ancients National Monument**

27501 Hwy 184  
Dolores, CO 81323  
(970) 882-4811

*Note: No new commercial permits issued at this time.*

#### **Uncompahgre Field Office**

2505 South Townsend  
Montrose, CO 81401  
(970) 240-5300

#### **Gunnison Gorge National Conservation Area**

2505 S. Townsend Ave.  
Montrose, CO 81401  
(979) 240-5300

*Note: No new commercial permits issued at this time.*

#### **Royal Gorge Field Office**

3170 East Main  
Canon City, CO 81212  
(719) 269-8500

*Note: Refer to page 12 to find out the procedure for applying for a SRP at the RGFO*

#### **Monte Vista Detached Front Range Center**

1803 W. Highway 160  
Monte Vista, CO 81144  
(719) 852-5941



## **CHAPT II: Commercial Permits**

### **PERMIT DURATION**

Commercial outfitters may receive a 10 year term permit at the discretion of the BLM Field Manager after two acceptable seasons. Multi-year permits must be accompanied by an Annual Operating Authorization in order to be valid. Criteria used to determine appropriate permit length include management objectives, resource management planning time frames, environmental risks involved, public need for the intended use, and a permittees past or current performance rating. BLM does not use or recognize the term “priority use” like the Forest Service.

### **FEES**

The minimum annual fee is \$80 or 3% of the permittee’s gross revenue (allowing certain discounts for lodging and transportation), whichever is greater. (See definition for commercial use on page 2). Gross receipts include total income which has been generated from the permitted activity before deducting costs such as insurance, prizes, other permit or license fees, etc. Gross receipts also include total supplemental money collected through sponsor contributions, other donations, the sale of clothing, insignia, specialized equipment, or food and beverage when sold incidental to the permitted activity.

Annual permit applicants are to make pre-season payments equal to their estimated total client charges for the amount of use proposed in their application, minus allowable proposed deductions, times 3%. First time applicants should make pre-season payments based on total estimated season use. If deductions are being proposed, applicants must submit a completed Optional User Fee Worksheet (see Appendix). Additional fees may be charged for grazing of saddle and pack stock. Multi-year permittee normally make pre-season use fee payments equal to their previous year’s final total season payments.

At the Field Manager’s discretion, applicants whose projected use fees exceed \$1,000 may make periodic advance payments instead of one lump sum pre-season payment. Contact the managing BLM Field Office office for details.

### **COST RECOVERY**

Cost recovery is a charge based upon the actual personnel, vehicle, travel and materials costs required to issue, administer and monitor the SRP.

BLM has been directed to recover costs of processing and administering SRPs. At the discretion of the issuing Field Office, additional charges may be levied to cover these costs. Of course, these costs may be expected to be greater for new permits and for substantial changes to existing permits. Because these charges are administrative, they will be in addition to any normal use fees incurred. Authorized officers will notify affected permit applicants or permit renewals of these charges in writing within 30 days of receiving applications or the intent to renew.

### **50-hour Threshold**

While the above is discretionary, BLM policy makes cost recovery mandatory for all administrative work that involves 50 or more hours to complete, beginning with the first hour.

For commercial users, cost recovery charges are in addition to the fees (\$80 or 3%). For competitive or organized group permits which exceed the 50 hours, cost recovery will be charged in addition to the fee schedule unless anticipated fees exceed the cost recovery charge.

In that case, use fees will be charged rather than cost recovery. When cost recovery is necessary, the authorized officer shall notify the applicant of potential charges in writing with in 30 days of receipt of the application.

## Other Fees Associated with SRPs

1. Assigned site fees of \$160 are in addition to the recreation fee schedule, assigned sites for commercial use does not preclude public use. See note on page 15 for more information.
2. Exclusive use fee, the authorized officer may determine that to protect public health or safety or to eliminate user and resource conflicts, permittees may require exclusive recreation use of a site to conduct their activity. The exclusive use fee is established by the State Director.
3. Grazing fees may be charged for livestock grazing or trailing associated with a SRP will be calculated based on the grazing fee formula in effect at the time the SRP is issued.

## REPORTING

**The Post Use Report** is due within 30 days of the last day of permitted use. At the close of season, actual use fees will be determined from the Post Use Report. (However, to save time and money, you have the option of computing what you may owe and send it in with your post use report). Permittee who have overpaid (\$10 or more and subject to the \$80 required fee minimum) will be notified that they have either a refund or credit. Permittee who have underpaid will be billed for the account balance. Final payments are due within 30 days of the date of BLM's final billing which cannot be issued until the Post Use Report is received. **Failure to meet these deadlines will result in remedial action against the permittee, (such as, late fees, probation, suspension, or revocation).**

**Deductions** are allowed for certain transportation and lodging costs. These must be incurred before arrival at the beginning of a trip and after departure at the end of a trip from permittee's headquarters or the local community. Costs incurred between the permittee's headquarters or local community and public lands and costs incurred during the permitted activity, whether on or off public lands, do not qualify. Transportation deductions are limited to long distance off-site transportation which exceeds 200 miles, one-way. Upland outfitters may qualify for additional discounts based on time spent off

activity. An optional User Fee Worksheet is included in the Appendix and must accompany your application if you have applicable deductions and discounts.

## PAYMENT OF USE FEES

A payment reflecting estimated use is required with your application. The fee will be adjusted, based on actual use, after use is made.

## ASSIGNMENT AND SUBLETTING OF PERMIT PRIVILEGES

See page 19, section V

## INSURANCE REQUIREMENTS

An insurance certificate must be submitted with the permit application and include a provision to notify the appropriate BLM Field Manager(s) before the policy is either modified or terminated. BLM's Field Managers may require greater coverage where a potential for higher claims exist. BLM minimum acceptable liability insurance coverage is:

\$300,000 persons, bodily injury or death per occurrence;  
\$600,000 annual aggregate; and  
\$ 30,000 property damage for any one occurrence.

The certificate must list the United States Government as additionally insured (not co-insured), state the limits of liability, and specify that the insurer will give the additionally insured as well as the certificate holder 30 days written notice before cancellation of the policy. The Forest Service needs to also be identified as additionally insured for joint permits.

### COOPERATIVE/JOINT PERMIT MANAGEMENT

A Memorandum of Understanding between the BLM and USDA Forest Service in Colorado provides for the cooperative issuance of a single permit simultaneously authorizing an outfitter's operation that spans a BLM-Forest Service agency boundary. Generally, the agency that issues these permits will be the one that administers lands where a) base camps are located or b) where the majority of use occurs. Outfitters will be charged the minimum \$80 fee for each agency. Therefore, the minimum fee for a joint permit is \$160. If 3% of gross revenue exceeds \$160, you will need to pay that additional amount.

On joint permits with the Forest Service, both BLM and the Forest Service CFR citations will be enforced. See standard stipulations IV. G. on page 17.

The Forest Service requires different insurance minimums than the BLM. Applicants should check with affected District Rangers and Field Managers to find out where to apply and the insurance minimums necessary. The higher of the insurance minimums for upland outfitting apply to all cooperative BLM-Forest Service permits:

Current Forest Service insurance minimums:  
\$300,000 bodily injury for any one person;  
\$300,000 for any one occurrence; and  
\$ 50,000 property damage for any one occurrence.

Another cooperative agreement between the BLM and the Colorado Division of Wildlife (DOW) provides for cooperative compliance of upland permittee permit requirements. DOW law enforcement personnel are helping check for BLM permits on routine patrols, and BLM field personnel are alerting DOW to potential violations of wildlife laws and regulations.

The Moab District Office of BLM in Utah is issuing and administering permits for river outfitters running Ruby Canyon as an integral part of trips through Westwater Canyon in Utah and for those running the Utah portion of the Dolores River below Gateway, Colorado. Operators should file applications with: Moab Field Office, Bureau of Land Management, 82 E. Dogwood, Moab, Utah 84532 Phone: (435) 259-2100.

Although BLM in Utah issues these permits, BLM Colorado stipulations still apply for all use occurring on public lands within the State of Colorado.

## PERFORMANCE REVIEW STANDARDS FOR PERMITTEE EVALUATIONS

An annual performance evaluation is required of all commercial permittees at the end of the permit term. Its purpose is to evaluate permittee compliance with the operating plan including all applicable stipulations; determine if use complies with management plan objectives; evaluate whether to re-issue or extend the permit; receive permittee feedback on BLM management actions; and address special attention items specific to the affected use area. Performance review standards used are all applicable operating conditions.

Operating conditions that each permittee must abide by occur in four places: (1) The Operating Plan submitted with permit application, (2) conditions that are printed on the reverse side of the permit application (Form 8370-1), (3) Standard Stipulations attached to all permits and (4) Field Office Supplemental Stipulations, additional terms and conditions for specified public lands areas which may also be included with your permit at each BLM Field Manager's discretion. BLM reserves the right to revoke or alter the terms and conditions of these Special Recreation Permits at any time as necessary. **Failure to adhere to any of these operating conditions will result in remedial action(s) against the permittee.**

Three different performance levels are recognized:

**Acceptable** means that the permittee has generally operated in accordance with the terms and conditions established for the permit

**Probationary** means that the permittee has not operated in full accordance with the terms and conditions of the permit. Corrective action by the holder is mandatory and continued operation at this level of performance is unacceptable. Permittee will only qualify for a 1 year permit. If this performance level is received 2 years in a row, the authorized officer may suspend or terminate the permit and/or deny future permit applications.

**Unacceptable** means that the permittee has not operated in accordance with the terms and conditions of the permit and cannot be allowed to continue. This performance level will result in suspension, termination, or revocation of permit privileges as appropriate to the circumstances.

BLM reserves the right to revoke or alter the terms and conditions of Special Recreation Permits at any time as necessary.

## STANDARD STIPULATION

Refer to pages 16 — 23 for Special Recreation Permit terms, conditions and stipulations for all permitted activities.

## DEADLINES COMMERCIAL PERMITS

### Commercial Hunting Permits

**Permit applications must be postmarked by May 15** for the fall season and **August 15** for the winter spring lion season. Applications shall be **received no later than five days afterward** in the office of the Field Manager having jurisdiction over lands to be used.

**NOTE:** New applications are not being accepted for the 2004 season for the Glenwood Springs Resource Area.

Grand Junction will only process new permit applications from August 1 — August 30. Existing permittee with expiring permits must reapply beginning August 1 with a deadline of September 1. All hunting permits, including deer, elk and lion are only accepted during the month of August. Please contact them for further information (see page 7).

## Commercial River Permits

Permit applications for all rivers (except the Arkansas River) must be postmarked by **April 1** and **received no later than five days afterward** by the specified BLM office. Applications postmarked after April 1 or received after April 6 will not be processed.

**NOTE:** New applications are not being accepted for the 2004 season for the following river segments:

- Eagle River from Edwards to Dotsero
- Upper Colorado from Kremmling to Dotsero
- Colorado River from Loma to Westwater
- Gunnison River Gorge from below Black Canyon of the Gunnison National Park to North Fork of the Gunnison
- Gunnison River from North Fork Confluence to Austin
- San Miguel River from Deep Creek to Pinon
- Dolores River from Bradfield Bridge to Bedrock

## Commercial Permits other than River or Upland Hunting

No specific application deadlines have been set for commercial, upland, and game-related outfitting permits, such as horse trail rides, bicycle rides, heli-skiing, or fishing use. Regulations specify that applications shall be filed with the appropriate BLM office at **least 180 days in advance of the first intended use date** unless a shorter time is authorized by the Field Manager having jurisdiction over the public lands to be used.

**Note:** Under interim management guidance, no new commercial permits will be issued for Canyon of the Ancients National Monument, Colorado Canyon National Conservation Area, and Gunnison Gorge National Conservation Area.

## Competitive, Organized Groups and Events Use and Special Areas Use

Applications are due April 1 for use occurring during the summer months of June, July, August, and September. Other uses that do not fall into that time period shall be filed with the appropriate BLM office at **least 180 days in advance of the first intended use date** unless a shorter time is authorized by the Field Manager having jurisdiction over the public lands to be used.

## Procedure and timeframes for applying a Special Recreation Permit (SRP) on the Royal Gorge Field Office (RGFO)

### Timelines for submitting SRP applications to the RGFO:

- All Special Recreation Permit Applications including Organized Group Events must be postmarked on or before December 1.
- Applicants that have been selected for processing will be notified by letter postmarked by January 15. This letter will contain the expected date that your SRP will be issued. Keep in mind the proposed use may need to be modified based on the findings of the environmental analysis.

### Requirements once you are notified that your application has been selected to be processed:

Within 30 days after being notified the following items must be submitted.

- The minimum fee of \$80.00 or estimated fee.
- Proof of Insurance as outlined on page 10 of the SRP information booklet.

Questions regarding how to apply for a SRP should be directed to Harvey Olson at 719.269.8707.

## RIVER RELATED COMMERCIAL PERMITS

River-related permits authorize use of BLM-administered public lands adjacent to Colorado's rivers, not of the actual rivers themselves. This is in conformance with Colorado State Law (' 18-4-504.5, C.R.S. 1973) which provides no authority for adjoining landowners to prohibit or otherwise control river floating use. This is also consistent with the Colorado Attorney General's opinion of August 31, 1983, which stated, in part, "...one who floats upon the waters of a river or stream over or through private property, without touching the stream banks or beds, does not commit a criminal trespass. . ."

### APPLICATION DEADLINES

Permit applications for all rivers (except the Arkansas River) must be postmarked by **April 1** and **received no later than five days afterward** by the specified BLM office (see addresses on page 7). Applications postmarked after April 1 or received after April 6 will not be processed. Commercial use permits for the Arkansas River are now being issued by the Colorado Division of Parks and Outdoor Recreation (DPOR). For deadlines and other information on Arkansas River permits, contact:

DPOR  
P.O. Box 126  
307 W. Sackett  
Salida, Colorado 81201  
(719) 539-7289

River permit applications should be filed as follows:

- Arkansas River from Granite to Parkdale: DPOR (See above address).
- Dolores River from Bradfield Bridge to Bedrock: Mancos/Dolores Field Office. (Not accepting new outfitters for the 2004 season)
- Dolores River from Bedrock to Gateway: Uncompahgre Field Office.
- Dolores River from Gateway (Stateline) to Colorado River: Grand Field Office, Moab.
- Eagle River from Edwards to Dotsero: Glenwood Springs Field Office. (Not accepting new outfitters for the 2004 season)
- Gunnison River from Delta to Grand Junction: Grand Junction Field Office.
- Gunnison River Gorge from below Black Canyon of the Gunnison National Park to North Fork of the Gunnison: Gunnison Gorge National Conservation Area. (Not accepting new outfitters)
- Gunnison River from North Fork Confluence to Austin: Uncompahgre Field Office. (Not accepting new outfitters for the 2004 season)
- Lake Fork of the Gunnison River from Lake City to Blue Mesa Reservoir: Gunnison Field Office (Not accepting new outfitters for the 2004 season)
- Rio Grande River from La Sauses Bridge to state line: Saguache Field Office.
- Ruby Canyon segment of the Colorado River from Loma to the state line: Grand Junction Field Office (Not accepting new outfitters for the 2004 season).
- San Miguel River from Deep Creek to Dolores River Confluence: Uncompahgre Field Office. (Not accepting new outfitters from Deep Creek to Pinon until management plan is finished.)
- Upper Colorado River from Pumphouse to Dotsero: Kremmling Field Office. (Not accepting new outfitters for the 2004 season).
- Yampa River from Craig to Dinosaur National Monument: Little Snake Field Office.
- (See Field Office Addresses on page 7.)

## **COLORADO BOATING STATUTES AND REGULATIONS**

The Colorado Boating Statutes and Regulations require registration of all vessels operating in the State of Colorado and set forth certain equipment requirements. For more information contact:

Boating Safety Officer  
Colorado Division of Parks and Outdoor Recreation  
Public Safety Section  
13787 South Highway 85  
Littleton, Colorado 80125 Phone: (303) 791-1954

## **STATE LICENSE**

You must provide BLM a copy of your state river outfitters license required by state law. Commercial river outfitters conducting hunting and/or fishing trips are required to obtain a state hunting authorizations and appropriate fishing license as well.

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Outfitters involved in the taking of game on public lands must obtain a license registration from the:

Office of Outfitters Registration  
Colorado Department of Regulatory Agencies  
1560 Broadway, Suite 1340  
Denver, Colorado 80202  
Phone: (303) 894-7778

Commercial river outfitters must obtain a license from the:

Colorado Division of Parks and Outdoor Recreation  
Colorado Department of Natural Resources  
13787 South Highway 85  
Littleton, Colorado 80125  
Phone: (303) 791-1954

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## **STANDARD STIPULATION**

Refer to pages 16 — 23 for Special Recreation Permit terms, conditions and stipulations for all permitted activities.

## UPLAND, GAME-RELATED PERMITS INCLUDING DEER, ELK, LION, AND BEAR

### STATE LICENSE

Outfitters involved in the taking of game on public lands must obtain a license registration from the:

Office of Outfitters Registration  
Colorado Department of Regulatory Agencies  
1560 Broadway, Suite 1340  
Denver, Colorado 80202  
Phone: (303) 894-7778

### DEADLINES

Permit applications must be postmarked by **May 15** for the fall season and **August 15** for the winter spring lion season. Applications shall be **received no later than five days afterward** in the office of Field Office having jurisdiction over lands to be used (see address list on page 6). All final decisions on summer/fall applications will be made by July 15. Late applications will not be processed. All lion hunters must submit a post use report on or before January 15<sup>th</sup> (for fall hunts) and May 15 (for spring hunts).

### LION/BEAR OUTFITTER PERMITS

Colorado BLM will issue both lion and bear hunting-related outfitter permits for a Field Office only at the discretion of the Manager. Permits are no longer issued on a statewide basis. All other upland game permits are issued by Field Office.

### UPLAND BIG GAME PERMITTEE CAMPSITE DESIGNATIONS

For upland outfitter permits only, Colorado BLM will designate all campsites occurring on the public lands in order to reduce conflicts, promote safety, and help determine where use is occurring to enhance compliance and help eliminate illegal outfitters. The number of sites designated for each upland permittee is limited to a total of 6 camps. Drop camps are considered as a designated campsite for the permittee. Potential sites must be identified on a U.S. Geological Survey topographic quadrangle.

**Note:** Designated campsites (reserved sites) must have both an archeological survey and Threatened & Endangered species survey conducted on the site. These designated (reserved) sites are the only place where the permittee may put a camp. Designated (reserved) campsites may be assigned for \$160.

### STANDARD STIPULATIONS

Refer to pages 16 — 23 Special Recreation Permit terms, conditions and stipulations for all permitted activities.



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## Stipulations

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**SPECIAL RECREATION PERMIT  
TERMS, CONDITIONS AND STIPULATIONS  
FOR ALL PERMITTED ACTIVITIES**

**Stipulations:** The following set of standard stipulations are automatically included and apply to all permits (some additional stipulations are specific to only certain activities). Failure to comply with these stipulations may result in remedial actions listed on page 9. Per 2932.40, violations of permit terms or stipulations may be subject to fines and imprisonment, in addition to administrative penalties.

**APPLICANT NAME**

**I. RISKS, HAZARDS AND SAFETY**

- A. Hazards related to climate, topography and terrain, waters, vegetation and wildlife, and man-made features are found on public lands and present risks which the permittee assumes. The permittee shall be responsible for inspecting sites, trails, roads, rivers and other authorized use areas for dangers and hazardous conditions, ensuring awareness by employees and clients of such risks and hazards, and promoting safe practices at all times.
- B. Adequate first aid and safety equipment shall be provided while performing the permitted activities.
- C. All guides and employees responsible for clients in the field shall be trained in First Aid and CPR, and hold a valid certification of training from the American Red Cross or its equivalent.
- D. In case of human death, or wildfire, involving the permitted operation, the County Sheriff shall be notified immediately, and the BLM shall be notified immediately after the Sheriff is notified.
- E. The permittee shall notify the BLM of any accidents involving the permitted operation which result in loss of consciousness, injury disabling individuals in excess of 24 hours, requiring medical treatment or search and rescue, or property damage in excess of \$100, and shall submit a detailed written report to the BLM within 10 days from the date of the accident. Other accidents shall be reported in the Apost Use Report”.

**II. INDEMNIFICATION**

- A. The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.
- B. Insurance: Coverage shall be obtained for the permitted operations in the minimum liability coverage amounts of:
  - (1) \$ 300,000 for persons, bodily injury or death for any one occurrence;
  - (2) \$ 600,000 annual aggregate and;
  - (3) \$ 30,000 property damage for any one occurrence.
- 7. A certificate of insurance shall be submitted, stating the limits of coverage, identifying the United States Government” as additional insured, and that the insurer will give BLM thirty (30) days notice prior to cancellation or modification of such insurance.

### **III. APPLICABLE LAWS AND REGULATIONS**

- A. This Permit is subject to all applicable provisions of the regulations (43 CFR Group 2930 and 8300) which are made a part hereof.
- B. The permittee shall observe all applicable Federal, State, and local laws and regulations while performing any authorized activity, including but not limited to: (1) operation, use and registration of motor vehicles, OHV'S, aircraft, and boats; (2) hunting and fishing; (3) use of firearms; (4) injury to persons or destruction of property; (5) noise, air and water pollution; (6) littering; (7) drinking water and sanitation; (8) food service; (9) use of fire; and (10) business practices.
- C. Permits involving the taking of game, including fish, shall be valid only when accompanied by a valid State Outfitters Registration. Permits involving river floating or guiding shall be valid only when accompanied by a valid State River Outfitters License.
- D. All hunters shall comply with the Colorado Division of Wildlife hunter safety requirements.
- E. Permittee shall comply with restrictions while operating in a Wilderness or Wilderness Study Area (WSA) as prescribed in 43 CFR 8500. Maps and information on the Wilderness or WSA boundaries and restrictions are available at the Field Office.
- F. Permittee shall comply with Off-Highway Vehicle (OHV) designations and restrictions in the area of operation as identified in the Resource Management Plan and prescribed in 43 CFR 8340.
- G. Permittee shall obtain a Colorado State Child Care License if working with minors.

### **IV. LIMITATIONS**

- A. This permit authorizes only temporary use in connection with the operations, during the period(s) and in the area(s) identified in the Operating Authorization and approved operating plan.
- B. If an existing commercial permittee wishes to sell or otherwise terminate his or her business and desires that permit privileges be transferred to a new owner, the permittee must notify the authorized officer in advance, in writing, and receive advance written approval for the permit transfer from the authorized officer.
- C. Use of Non-Public lands: This permit does not authorize use of non-BLM land (i.e. private, city, county, state, or other federal land).
- D. The applicant shall provide upon request the name(s) and address(s) of private landowners whose property is used in connection with the permitted operations, and evidence of permission to use such land.
- E. Access to Public Lands: The BLM does not guarantee legal access to public lands unless legal access for the general public is available. Where legal public access is not available, the permittee is responsible for obtaining permission from the landowner(s) to travel through or use private lands.
- F. Multi-Year Permits: A multi-year permit is not valid unless accompanied by a current Annual Operating Authorization.
- G. Joint Permit Requirement: This permit authorizes use of public lands in this Field Office; use of public lands in other Field Office, or National Forest lands must be approved under a separate

or joint permit. Code of Federal Regulation citations for both the BLM and Forest Service are valid and will be enforced for joint permits on associated public lands.

H. If a lion outfitter does not own his own dogs, he must furnish copies of all lease or rental arrangements for the dogs that he plans on using.

## **V. ASSIGNMENT AND SUBLETTING OF PERMIT PRIVILEGES**

A. The permittee may not assign permit privileges to a third party. For purposes of this permit, an assignment of permit privileges is indicated if one or more of the following occur:

1. A third party advertisement used to book a trip does not clearly indicate that the trip will be operated by the company holding the permit;
2. A third party provides both passenger transportation to the trip departure point and equipment used on the trip;
3. More than two (2) representatives or employees of the third party act as guides/crew on the trip. Representatives' employees must constitute less than 50 percent of the guides/crew on trip;
4. A trip is represented to the participants as being conducted by other than the permittee.
5. Equipment or guide clothing carries a name, markings or logo of the third party involved with the trip (this does not apply to booking agents who are permitted outfitters in the permit area). See B. below for the use of equipment not marked with the permittee name or approved abbreviation;
6. The passengers or guides/crew are not covered by the insurance carried by the permittee.

B. Written notice to use equipment with outfitter markings (company names, logos, etc.) other than those of the permit holder must be made no later than the time of use (hunt, launch, tour, etc.). If the markings are those of an outfitter not permitted to operate on that section, the markings of equipment used must not be visible while on the BLM-administered lands and waters.

## **VI. NON-EXCLUSIVE USE**

A. The permittee, employees and clients shall not interfere with other valid uses of public land, including but not limited to grazing, mining, and other recreational uses by the general public or other permitted commercial operations.

B. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.

C. This SRP does not guarantee the permittee's sole use of public land areas, nor does it grant the exclusive use of any area.

D. Public lands will generally remain available on a first-come, first served basis to other commercial and private recreational users. Nothing herein implies that the first permittee in any area has been granted exclusive use, or priority use.

## **VII. CONDUCT AND MANNERS**

A. The permittee is at all times responsible for the actions of himself, his employees, clients and guests in connection with the authorized operations, and shall not cause a public disturbance or engage in activities which create a hazard or nuisance.

B. The permittee should practice the TREAD LIGHTLY and LEAVE NO TRACE land ethics

and inform their clients about these practices and ensure that they follow them.

## **VIII. MODIFICATION OR AMENDMENT**

A. The BLM reserves the right to alter the terms, conditions, and stipulations of this permit at any time upon notice for reasons such as changes in law, policy or administrative procedure, to prevent use conflicts, to protect public safety, or to prevent resource damage.

B. The permittee shall request amendment or modification of the permit to provide for changes in: use areas or sites, season of use, services provided, fee structure, or any other changes in operations.

C. The BLM may restrict use or close sites or areas on public land, or require relocation of use sites or areas prevent use conflicts, protect public safety, or prevent resource damage.

## **IX. PAYMENTS**

A. Use Fee Payments: Permit fees are due and payable in advance based on estimated use gross receipts. Payments shall be sent to the Field Office by check, money order or cashier's check, made payable to "The Bureau of Land Management".

B. Basis for Fee: The annual permit fee shall be three percent (3 %) of total client charges or \$80.00 annual minimum, whichever is greater. Gross receipts shall be the sum of all payments made by clients for services rendered in connection with the permitted operations, before disbursement to private landowner for use of private land, payment to employees, and any other disbursement.

C. Periodic Payments: At the Field Manager's discretion, when the estimated use fee is greater than one thousand dollars (\$1,000), a schedule for periodic payments may be arranged.

D. End of Season Payment: The actual use fee shall be determined from the use reports. Payment should accompany the post-use reports and trip logs due 30 days after the last day of use or as specified on SRP.

E. Refunds:

1. In the event a SRP is not approved, all payments except the nonrefundable processing and filing fee shall be charged to the applicant without interest.

2. No refunds of less than ten dollars (\$10.00) will be made.

F. Late Payments

Late payment of fees may result in additional fee penalties, permit probation, suspension, and/or revocation, and interest and administrative handling charges.

G. Deductions

Allowable deductions in permit fees shall be agreed upon in advance, and may include costs related to the permitted operations incurred by the permittee for long distance off-site transportation, off-site lodging, and use of non-public lands, per Handbook H-2930-1.

## **X. USE REPORTS**

### **A. Trip Logs**

Trip Logs shall be submitted within 30 days of the authorized use season on a form provided by the BLM or an approved equivalent. Trip logs shall indicate accurately the dates of use, location, type of use, number of clients, number of staff, vehicles and livestock used, total receipts, and any deductions claimed. Penalty fees may be charged for late reports.

### **B. Post Use Report**

A Post Use Report shall be submitted as specified or within 30 days of the last day of use authorized, on a form provided by the BLM or an approved equivalent. The post use report shall indicate accurately the total number of clients served during the term of the Permit, total staff and total use, total receipts, and total deductions claimed, and describe any accidents or injuries occurred, and management problems or concerns. Penalty fees may be charged for late reports.

### **C. Late Use Reports**

**Late submission of use reports may be cause for action against the permittee,** including probation, suspension, and/or revocation, and criminal penalties.

### **D. Non-Use**

A permit may be canceled after two consecutive seasons of non-use.

## **XI. INSPECTION OF RECORDS AND PREMISES**

A. The BLM, or duly authorized representative, may examine upon request any of the records, including but not limited to bookings, client registers, financial records, leases or contractual agreements, licenses, or other documents related to the permitted operations, as outlined in 43 CFR 2932.55.

B. The BLM and its cooperators, including the Colorado Division of Wildlife, USDA Forest Service, and the Colorado Division of Parks and Outdoor Recreation, shall at all times have the right to enter the premises located on public land on official business. The permittee shall allow reasonable access to private lands owned or utilized in the permitted operation for purposes related to administration of the permit.

C. The permittee shall post a copy of the Permit or Operating Authorization in plain view at the base of operations and camps, where clients, BLM and Division of Wildlife officers have the opportunity to read it. Copies of the permit will be carried by permittee's employees when operating or performing under the authority of the permit away from the base of operations.

D. All guides and employees must carry a copy of the Permit or Operating Authorization while conducting operations on public lands, and they must be familiar with the Permit terms, conditions and stipulations that they have signed.

## **XII. SIGNING AND ADVERTISING**

- A. Signs or advertising devices on public land require advance approval on the location, design, size, shape or color, and message.
- B. All advertising shall be accurate and not misrepresent in any way the services or accommodations provided, or the area authorized for use. Brochures and other advertising materials shall include the following disclosure: All or part of this operation is conducted on Public Lands under special permit from the U.S. Bureau of Land Management.@

## **XIII. CAMPSITES**

- A. Camps may be set up for no longer than necessary, and no earlier than 5 days prior to the first day of use authorized and must be removed within five days after the authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.
- B. Camps shall be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible shall be located out of sight of major trails.
- C. All campsites and temporary improvements shall be as described in the approved operating plan.
- D. All campsite facilities including but not limited to tents, latrines, livestock control facilities, shall be located at least 200 feet from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.

## **XIV. CAMPFIRES**

- A. Unless permanent fireplaces are designated, open campfires shall be built only in areas free of hazardous fuels. Fire rings or pits shall be set on bare mineral soil. After use, fire rings or pits shall be obliterated and the site rehabilitated. Open fires may be prohibited during periods of extremely high fire hazard by order of the BLM or the State of Colorado.
- B. Campfires shall be completely extinguished when left unattended. The permittee is responsible for all fires started by him/her self, employees, or clients, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.
- C. An axe, shovel, water bucket or extinguisher for fire control shall be available at each campfire.
- D. Wildfire caused by the permitted operation shall be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be in effect.

## **XV. LIVESTOCK USE**

- A. Authorized pasture use of livestock is temporary and limited to transportation purposes, and will not establish a priority for future use of the range. Rangeland grazing may be restricted and feed may be required to be packed which must be **certified weed free**. The permittee shall

prevent localized over grazing and damage to vegetation by permitted livestock.

B. Construction of permanent fences or corrals is not permitted. Temporary livestock control structures may be erected, including corrals and hitching racks, provided they are dismantled after the use season.

C. The permittee may be required to pay additional fees for forage consumed by livestock during the permitted operations. This fee will be at the current rate for grazing use.

D. Livestock shall not be tied to trees for other than short term, temporary stops. Hobbles, pickets, high lines or corrals shall be used to control livestock.

E. Livestock control structures (corrals, hitching racks, pickets, high lines) must be at least 200 feet from springs, streams, lakes, reservoirs or other water sources. Whatever method of livestock control is used, it will not result in removal or death of the under story vegetation.

F. Pack stock may be grazed if permitted by the SRP. If electric fences are used, they will be moved every 3 days to a new areas. If picket ropes are used, they will be moved every other day to a new area. If high lines are used, there location must be approved in advance.

## **7. EQUIPMENT CACHES**

Food and/or equipment caches require advance authorization. When authorized, caches shall be neatly stored out of sight of roads and trails.

## **XVI. RESOURCE PROTECTION**

A. Aesthetics: Permittee shall protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted grounds and areas to acceptable standards of repair, orderliness, and cleanliness.

B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area shall be left in a natural state. Reseeding may be required of all areas disturbed by campsites with approved seed mix.

C. Sanitation: Self contained or pit type toilets/privies, with or without tent coverings, shall be used at all campsites on public land. The permittee will be responsible for establishing a latrine for all permitted camps and for final rehab when the camp is removed. Waste from self contained toilets must be disposed of at a State approved sewage disposal facility. When abandoned, toilet pits shall be covered with a minimum of 12 inches of topsoil and back filled to pre-existing grade. While in use, human waste in pits shall be covered with a layer of topsoil or lime after each individual use.

D. Trash Disposal: Grounds shall be regularly cleaned and no trash or litter shall be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire shall be packed out. Trash shall not be buried on public land.

E. Dead animals and their remains shall be disposed of at least 200 feet away from springs, streams, lakes, ponds, campsites, roads/trails.

F. Waste or by-products of any kind shall not be discharged into any stream, reservoir, lake or pond.



G. Soils: Permittee shall conduct the permitted operations in a manner which prevents severe rutting, or severe soil erosion.

H. Vegetation Damage/Removal: All operations shall be conducted in a manner which prevents damage to or loss of vegetation cover. Poles may be cut for temporary facilities if these are authorized on public land. Cutting, clearing or defacing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason shall require specific advance authorization. When tree cutting is authorized, stumps shall be left no higher than 6 inches above ground level and slash shall be lopped and scattered. A separate permit is required for removal and transportation of woodland/tree products from public land.

I. Firewood Cutting: Firewood may be cut on public land only for campsite use while on public land, and may not be transported off the public lands without a separate firewood cutting permit. Only dead and down trees shall be cut for firewood, with stumps left no higher than 6 inches above ground level, and the slash shall be lopped and scattered.

J. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities or any other property found on public land shall not be damaged, destroyed, defaced, removed, or disturbed.

K. Cultural Resources: All persons associated with operations under this permit must be informed that any objects or sites of cultural, paleontological, and scientific interest, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed or disturbed. If in connection with operations under this permit any of the above resources are discovered, the permittee shall immediately stop operations in the immediate area of the discovery, protect such resources, and notify the BLM authorized officer of the discovery. The immediate area of the discovery must be protected until the operator is notified in writing to proceed by the authorized officer.

L. Wilderness and Wilderness Study Areas (WSA): Use of electric generators, all motorized equipment including chainsaws and vehicles, is prohibited within a Wilderness or WSA. If supplemental livestock feed is used, cubed, ☐alletized, or processed feed or **certified weed free hay** shall be used.

M. Permittee are responsible for knowing where Wilderness and WSA boundaries are and the restrictions that may apply to an area of operation within these boundaries. Maps and information concerning restrictions are available at the local Field Office.

N. Facility Construction: Construction of permanent facilities or improvements of any kind, including but not limited to roads, trails or structures, is not approved by this permit and shall require separate authorization.

## **XVII. PERFORMANCE EVALUATION**

A. The BLM shall conduct periodic inspections and performance evaluations of the permittee's operations and compliance with the terms, conditions and stipulations of the Permit.

7. Violations and Penalties: Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2932.40, which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit revocation, suspension or probation. Violations may also be cause for the BLM to deny approval of a Permit or Operating Authorization for subsequent years. If a permit is canceled or suspended, permit applications will not be approved for any person connected to or affiliated with the operation under a canceled or suspended permit.

**Acceptable** means that the permittee has generally operated in accordance with the terms and conditions established for the permit

**Probationary** means that the permittee has not operated in full accordance with the terms and conditions of the permit. Corrective action by the holder is mandatory and continued operation at this level of performance is unacceptable. Permittee will only qualify for a 1 year permit. If this performance level is received 2 years in a row, the authorized officer may suspend or terminate the permit and/or deny future permit applications.

**Unacceptable** means that the permittee has not operated in accordance with the terms and conditions of the permit and cannot be allowed to continue. This performance level will result in suspension, termination, or revocation of permit privileges as appropriate to the circumstances.

## **XVIII. CERTIFICATION**

I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Date \_\_\_\_\_ Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Chapter III

Competitive  
Off-Highway Vehicles  
Organized Group Activities



## **CHAPTER III: Competitive, Off-Highway Vehicles, Organized Group Activities and Event Use**

### **APPLICATION DEADLINES**

Applications are due April 1 for use occurring during the summer months of June, July, August, and September. Other uses that do not fall into that time period shall be filed with the appropriate BLM office at **least 180 days in advance of the first intended use date** unless a shorter time is authorized by the Field Manager having jurisdiction over the public lands to be used.

### **FEES**

**COMPETITIVE USE:** \$4.00 per user day or 3% of gross receipts, whichever is greater. (See definition for competitive use on page 2.)

**OFF-HIGHWAY VEHICLE EVENTS, ORGANIZED GROUP ACTIVITIES AND EVENT USE PERMITS:** \$4.00 per user day. (See definition of an event on page 2.) *When the event is both commercial and competitive, the competitive fee schedule will be used.*

### **PAYMENT OF USE FEES**

A payment reflecting estimated use is required with your application. The fee will be adjusted, based on actual use, after use is made.

### **INSURANCE REQUIREMENTS**

An insurance certificate must be submitted with the permit application and include a provision to notify the appropriate BLM Field Manager(s) before the policy is either modified or terminated. BLM's Field Managers may require greater coverage where a potential for higher claims exist. Minimum acceptable liability insurance coverage is:

\$300,000 for persons, bodily injury or death for any one occurrence;  
\$600,000 annual aggregate; and  
\$ 30,000 property damage for any one occurrence.

The certificate must list the United States Government as additional insured, state the limits of liability, and specify that the insurer will give the additional insured as well as the certificate holder 30 days written notice before cancellation of the policy.

The Forest Service, USDA requires higher insurance minimums. The higher insurance minimum applies for all joint permits (see these higher limits on page 10).

# **ADDITIONAL STANDARD STIPULATIONS FOR COMPETITIVE AND OFF-HIGHWAY VEHICLE EVENTS**

## ***FOR ALL PERMITS***

1. Permittee is responsible for ensuring that participants do not drive off designated use areas and/or course routes; participant and spectator use will be restricted from sensitive resource areas.

2. Permittee is responsible for crowd control, ensuring that the event is orderly, does not endanger bystanders or participants, and is conducted in a peaceable manner to enhance recreation satisfaction and promote the public well being.

3. Permittee agrees to reroute and/or relocate use areas to avoid sensitive use areas identified by BLM before or during the event.

4. All range fence gates opened for the race will be monitored during the race to prevent passage by livestock and closed immediately at the end of the race.

5. Permittee will take all reasonable measures to ensure that entrants, spectators and casual users attracted by the event will not harass wildlife or livestock in the vicinity, including publication of notices discouraging such use in the local news media.

6. Permittee will take all reasonable measures to inform other recreationists in the area of the event and associated temporary road restrictions, including publication of notices to this effect in the local news media.

7. Permittee will mark sensitive areas identified by BLM, routes, staging areas, parking, and pit areas with non-defacing markers and appropriate signs and will ensure that all such materials are immediately removed upon completion of the event.

8. During the event, permittee will provide on-the-ground staff monitoring to ensure that use occurring is confined to areas actually authorized by permit.

9. Permittee is responsible for ensuring that all authorized motorized use conforms to the

Conditions of Use set forth in 43 CFR Subpart 8341.1, regulations governing use.

10. Nothing in this permit will be construed as a license for the permittee, employees, or clients to use areas of the public lands which are otherwise restricted or closed (e.g., restrictive off-highway vehicle designation areas).

11. Permittee is responsible for ensuring the safety of all spectator, entrant, concessionaire, and/or support personnel, ensuring that all permit actions are in conformance with local, state, and federal health and safety standards.

12. Permittee is responsible for furnishing self-contained chemical sanitation facilities and trash receptacles at locations as necessary, to keep these serviced neat and clean during the event, and to provide for off-site disposal of all refuse and human waste generated from the event, in accordance with all applicable local, state, and federal ordinances, laws, and regulations.

13. State and local laws and ordinances apply to all BLM-administered public land. This includes, but is not limited to, laws and ordinances governing (a) operation and use of motor vehicles, aircraft, and boats; (b) hunting and fishing; (c) use of firearms; (d) injury to persons or destruction of property; (e) air and water pollution; (f) littering; (g) sanitation; and (h) use of fire.

14. Operation and maintenance of all sanitation, food service, and water supplies, systems, and facilities by the permittee or his/her concessionaires shall comply with the standards of the local department of health and the United States Public Health Service.

15. Permittee will provide first-aid/EMT services adequate to meet emergency needs arising from the event, including CPR and medivac transportation for hospital care.

16. The Field Manager reserves the right to postpone or cancel the event if environmental conditions develop in which the event would subject the land to substantial resource damage

or the public to unacceptable risk—factors such as heavy rains, flooding, early thawing, etc.

17. Permittee shall protect the scenic aesthetic values of the area under permit and the adjacent lands, insofar as practical, while exercising privileges granted during setup, operation, and maintenance of the permitted operation. When facilities for the event are dismantled, the area should be left in a natural state.

18. At the conclusion of the event, the area will be inspected and all trash or debris resulting from the event will be removed by the permittee.

19. Permittee will restore any resource damage from the event as specified by the Field Manager.

20. Permittee assumes responsibility for coordinating the event with all adjacent landowners and securing access needed across privately owned lands, ensuring that trespass does not occur.

21. Proof of insurance shall be provided at least one week prior to the event. Insurance shall be consistent with requirements stated in the Colorado BLM Special Recreation Permit information booklet or as amended by the Field Manager.

22. All officials will receive a copy of applicable stipulations prior to competitive event(s).

23. Permittee, entrants, and/or spectators will not interfere with other valid uses occurring on the public land such as grazing, mining, and other recreational uses.

24. BLM reserves the right to revoke a permit for reasons such as, but not limited to,

noncompliance with stipulations (before and/or during the event), failure to provide services specified in the operating plan, or untimely permit reporting.

25. Permittee agrees to make all relevant books, documents, papers, and records of his/her operation available to BLM upon request (as outlined in 43 CFR Subpart 2932.55) for analysis by qualified representatives of BLM and other Federal agencies authorized to review BLM's permitting activities.

26. Permittee shall post a copy of the authorizing permit in plain view where all clients and BLM, DPOR, and DOW employees have the opportunity to read it.

27. Permittee will notify BLM of any accidents occurring on the public lands which result in loss of life, loss of consciousness, disabling of individuals in excess of 24 hours, having to secure medical treatment, or property damage in excess of \$100, and will submit a detailed written report to BLM within 10 days from the date of the accident.

**Certification:** I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

## Instructions for Application Form 8370-1

- General: Please type or print clearly. Complete Items 1-8, and be sure to sign and date the application. The application can be signed only by the owner or an individual whose signature is authorized by the company. Before signing, be sure you have read and you understand the applicable permit stipulations in this booklet. Enter AN/A@ following items that are not applicable to your proposed use.
- Specific:
  - Item #1 - Self explanatory
  - Item #2 - Be specific, maps are required, Upland outfitters must use a 7.5 or 15 minute U.S.G.S. topographic or a BLM color quadrangle.  
Each Upland outfitter must identify both preferred and alternate locations for base camps.
  - Item #3 - Include an operating plan located in appendix B.
  - Item #4 - Dates indicate first and last date of your use season.
  - Item #5 - Check appropriate box.
  - Item #6 - Fill out unless information is provided in operating plan.
  - Item #7 & 8 - Self explanatory

### Sequence of Events for Permit Administration:

Step	Action By	When	Action Required
1	Applicant or Existing Permittee	Prior to use occurring (see application deadlines)	Submits to BLM the nine items included within the box on pg 5.
2	BLM	BLM receives permit application	Review application. Develop additional stipulations if needed. Approve, modify or reject permit.
3	BLM	After processing and approval	Issues Special Recreation Permit for annual permit or annual operating authorization for multi-year permit.
4	Permittee	By the 10 <sup>th</sup> of each month or as specified in stipulations*	Submits Trip Logs throughout the season when required by the Field Manager.
5	Permittee	Within 30 days of last day of permitted use*	Sends Post Use Report to BLM, with Trip Logs when required.
6	BLM	Upon receipt of Post Use Report	Issues billing or refund notice to reconcile differences between pre-season payments and actual amount due BLM.
7	Permittee	Within 30 days of BLM's billing date	Submits final payment, when required.

\* Note: Refer to specific Field Offices stipulations which may vary from general time-frames.



Bill Owens  
Governor

Colorado Department of Local Affairs  
Executive Director, Michael L. Beazley

**DIVISION OF PROPERTY TAXATION**

Mary E. Huddleston  
Property Tax Administrator

TO: APPLICABLE GOVERNMENT AGENCIES

FROM: Mary E. Huddleston  
Property Tax Administrator

SUBJECT: Possessory Interest Data Request

DATE: December 2, 2003

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MEMORANDUM

The Colorado Division of Property Taxation is requesting lease/permit information from your agency in order to comply with the Colorado Supreme Court decision; see Board of County Commissioners, County of Eagle, State of Colorado v. Vail Associates, Inc. et al and the Board of Assessment Appeals and Allen S. Black et al, v. Colorado State Board of Equalization, 19 P. 3d 1263 (Colo. 2001). In its decision, the court ruled that certain possessory interests are subject to ad valorem taxation in Colorado.

A possessory interest is defined as a private property interest in government-owned property or the right to the occupancy and use of any benefit in government-owned property that has been granted under lease, permit, license, concession, contract or other agreement. The use of the property must be in connection with a business conducted for profit.

Based on the direction of the court and our research we have determined that taxable possessory interests may include, but are not limited to:

1. Private concessionaires utilizing government owned land, improvements, or personal property that are not operating pursuant to a management contract as defined in 39-1-103(17)(a)(III), C.R.S.
2. Government land and improvements used in the operation of a farm or ranch.
3. Government land, improvements, and/or personal property used in the operation of ski or recreational areas.
4. Land underlying privately owned cabins or other residential property located on government land that is rented commercially.
5. Recreational use of lakes, reservoirs, and rivers in a revenue-generating capacity.
6. Recreational use of land for outfitting purposes in a revenue-generating capacity.
7. Land, improvements, and personal property at a tax-exempt airport.

The lease/permit information is collected by the Division and then disseminated to each applicable county assessor's office. This process was originally set up to alleviate each government agency from fielding requests from numerous counties within the state. However, some of the data received in 2003 was not all-inclusive causing some interaction between individual counties and local district offices. We realize this may occur again.



In order to expedite the process of collecting possessory interest lessee/permittee information from your agency, it would be helpful if the following column headings, preferably in an EXCEL spreadsheet format, would be used. The headings listed below represent the minimum amount of information needed for most types of permits or leases. More complicated agreements and/or agreements involving more than one county will be researched by each respective county assessor.

AUTHORIZATION #, ALLOTMENT # OR NAME, LEASE #, etc.

COUNTY

LESSEE/PERMITTEE NAME

MAILING ADDRESS

CITY

STATE

ZIP CODE

LEGAL DESCRIPTION (Property Situs)

At the least, a township and range

ANNUAL PAYMENT

CONTRACT DATE (Start-up date)

EXPIRATION DATE

Any additional information may be included if already resident on your database. It would be greatly appreciated if this data could be made available as soon after January 1, 2004, as possible. You may e-mail the data directly to [judy.kahl@state.co.us](mailto:judy.kahl@state.co.us). If you have any questions regarding this process please call Judith Kahl at 303.866.2683.

Thank you for your cooperation.